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**D208464139***Suzanne Henderson*

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5 Pages

Suzanne Henderson

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

**AMENDMENT TO OIL AND GAS LEASE**

**State:** *Texas* **County:** *Tarrant* **Lessor:** Wanda B. Kroeker, also known as Billye Wanda Kroeker, a widow, appearing herein through Janice Darlene Whitten, her Agent an Attorney-in-Fact  
**Lessee:** XTO Energy Inc.  
**Effective Date:** May 1, 2007

On May 1, 2007, Lessor, named above, executed and delivered to Lessee, named above, an Oil and Gas Lease (the "Lease"), recorded in Tarrant County Clerk's Document No. 2D207289692 of the Real Property Records of the county and state named above. The Lease covers the following lands (the "Lands"):

Being Lot 8, Block C, Timberlake Estates, Phase III, to The City of Azle, Tarrant County, Texas, according to the plat recorded in Volume 388-108, Page 54, Plat Records, Tarrant County, Texas, and being the same land more particularly described in a General Warranty Deed dated August 16, 2001 from Edwin E. Kroeker to Wanda B. Kroeker recorded in Volume 15143, Page 403, Deed Records, Tarrant County, Texas.

The Lease is recognized by Lessor as being in full force and effect. The Lease is presently owned by Lessee, named above. It is the desire of the Lessor and Lessee to amend the Lease as to the particular provisions set out below.

For adequate consideration, Lessors and Lessee amend the Lease by incorporating into it the following terms, as if originally contained in the Lease:

The Acknowledgement Certificate in the Lease is hereby amended to reflect the document as being executed by Janice Darlene Whitten as Power of Attorney for Wanda B. Kroeker, a widow.

If the amendment(s), set out above, varies from a provision(s) or term(s) already existing in the Lease, the amending provision(s) specifically supersedes the provision(s) or term(s) originally contained in the Lease.

For adequate consideration, Lessors grant, lease and let to Lessee the Lands for the term provided in the Lease, as amended.

This Amendment may be executed in multiple counterparts. When executed, counterpart shall be binding on the party signing it, regardless of whether all Lessors execute this Amendment.

This Amendment is signed by Lessors and Lessee as of the date of the acknowledgment of their respective signatures, but is effective for all purposes as of the Effective Date stated above.

**Lessor**

**Wanda B. Kroeker, also known as Billye  
Wanda Kroeker, a widow**

*Janice Darlene Whitten P.A.*

By Janice Darlene Whitten as Power of Attorney for Wanda B. Kroeker, a widow

THE STATE OF ~~TEXAS~~ <sup>Oklahoma W</sup>  
§  
Stephens <sup>W</sup> §  
COUNTY OF TARRANT <sup>W</sup> §

This instrument was acknowledged before me on the 21 day of Oct, 2008, by Janice Darlene Whitten as Power of Attorney for Wanda B. Kroeker, a widow.

*Marcus L. McEntire*  
Notary Public in and for the State of ~~Texas~~  
~~Oklahoma~~



## DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That I, **BILLYE WANDA KROEKER**, have made, constituted and appointed and, by these presents, do make, constitute and appoint **JANICE DARLENE WHITTEN** as my true and lawful attorney for me and in my name, place and stead.

1. To demand, receive, collect and hold any and all monies, securities, personal and real property of any nature whatsoever belonging to me or in which I may have any interest, to deal generally and in all respects without restriction in and with any property of any nature whatsoever in which I may have any interest; and
2. To carry bank accounts for me and in my name in such banks as my attorney may deem best and to make deposits of money belonging to me in such accounts, and disburse monies on the signature of my attorney, for any purposes in connection with the personal needs, support, maintenance, and medical attention in any such amounts and for such purposes and at such times as my attorney in my attorney's sole unrestricted discretion and judgment may deem best; and
3. To make disbursements of monies belonging to me in such manner, at such times and for such purposes as my attorney may in my attorney's sole unrestricted discretion and judgment deem best for maintenance, upkeep, repair or any other purposes in connection with any real estate or personal property owned by me; and
4. To sell, operate, manage, control and lease, any and all real estate owned by me and collect, demand and receive the rents, issues, incomes and profits derived therefrom, and to exercise in all respects general control and supervision over any real estate belongings to me; and
5. To exercise general supervision and control over any securities and other personal property of any nature whatsoever belonging to me, and to collect dividends, profits or accruals therefrom and thereon, and to make sale an disposition of the same, all as my attorney may in my attorney's sole and unrestricted discretion and judgment deem best; and
6. To exercise in all respects full management, control and powers with respect to all of my property, whether the same be real or personal, as I myself could do; and
7. To liquidate any assets of mine and to make such investments of any monies belonging to me as my attorney in my attorney's sole unrestricted judgment and discretion may deem best; and
8. To demand and receive, sue for and recover, any and all monies or rights of any nature whatsoever and from whatever source derived that may now be due to me or which may at any time hereafter become due, and to give in all respects proper receipts, releases and acquittance

therefor with no liability on the part of any obligor making payments to my attorney to see to the application of the proceeds of such payments or collections, hereby giving and granting unto my attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises as fully to all intents and purposes as I might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my attorney may do.

9. That if I am unable to decide or speak for myself, my agent has the power to:
  - a. Make health and medical care decisions for me, including serving as my representative under the Oklahoma Do-Not-Resuscitate Act, but excluding signing an advance directive, make decisions reserved to a health care proxy under an advance directive, or other life-sustaining treatment decisions;
  - b. Choose my health care providers;
  - c. Choose where I live and receive care and support when these choices relate to my health care needs;
  - d. Review my medical records and have the same rights that I would have to give my medical records to other people.

10. This Durable Power of Attorney is executed in accordance with Oklahoma Statutes, Title 58 Section 1071 et seq.

10. This Durable Power of Attorney shall not be affected by subsequent disability of capacity of the principal nor shall it be affected by a lapse of time. This Durable Power of Attorney shall be effective immediately.

11. In the event protective proceedings for my person or estate are hereafter commenced and the Court determines that such proceedings are necessary, then I nominate JANICE DARLENE WHITTEN to be my conservator or guardian, whichever is appropriate. I desire that she may serve without the necessity of posting a bond.

Dated this 4th day of May, 2006.

  
\_\_\_\_\_  
BILLYE WANDA KROEKER  
Soc. Sec. No. 454-38-6654  
DOB: 2/6/1930

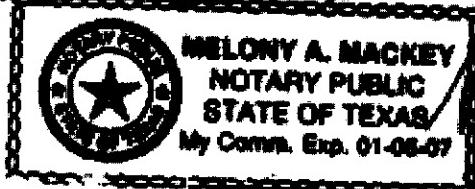
The principal is personally known to me and I believe the principal to be of sound mind. I am eighteen (18) years of age or older. I am not related to the principal by blood or marriage, or related to the attorney-in-fact by blood or marriage. The principal has declared to me that this instrument is her power of attorney granting to the named attorney-in-fact the power and authority specified herein, and that she has willingly made and executed it as her free and voluntary act for the purposes herein expressed.

Witness: Biljye Bailey

Witness: J.C. Amistad

STATE OF TEXAS )  
                    ) SS:  
COUNTY OF         )

Before me the undersigned authority, on this 4th day of May, 2006, personally appeared BILJYE WANDA KROEKER, Julyn Bailey, and J.C. Amistad, whose names are subscribed to the foregoing instrument in their respective capacities, and all of said persons being by me duly sworn, the principal declared to me and to the said witnesses in my presence that the instrument is his or her power of attorney, and that the principal has willingly and voluntarily made and executed it as the free act and deed of the principal for the purposes therein expressed, and the witnesses declared to me that they were each eighteen (18) years of age or over, and that neither of them is related to the principal by blood or marriage, or related to the attorney-in-fact by blood or marriage.



Melony A. Mackey  
Notary Public

(SEAL)